

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK
TIMOTHY DUMPSON,

Plaintiff,

9:04-CV-1419
(NAM)(DEP)

v.

GLENN S. GOORD, Commissioner of DOCS; LUCIEN J.
LECLAIRE, JR., Deputy Commissioner; DONALD SELSKY,
Director of SHU; ANTHONY ANNUCCI, Deputy
Commissioner and Counsel; RICHARD D. ROY, Inspector
General of DOCS; MICHAEL MCGINNIS, Superintendent of
Southport Correctional Facility; R.K. WOODS,
Superintendent of Upstate Correctional Facility; LABOR
RELATIONS,

Defendants.

APPEARANCES:

TIMOTHY DUMPSON
Plaintiff, pro se
86-B-2265
Upstate Correctional Facility
P.O. Box 2001
Malone, NY 12953

DAVID E. PEEBLES, MAGISTRATE JUDGE

ORDER

By Decision and Order filed May 4, 2005, District Judge Norman A. Mordue ruled that amended complaint filed by pro se plaintiff Timothy Dumpson failed to state a claim upon which relief may be granted, and therefore dismissed this action. Dkt. No. 8. The plaintiff has appealed that dismissal to the United States Court of Appeals for the Second Circuit. Dkt. No. 10.

Presently before the Court is a request from the plaintiff for leave to proceed with

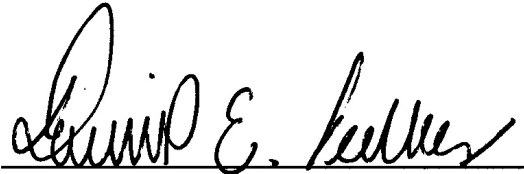
his appeal in forma pauperis. Dkt. No. 13.¹ Based upon the Court's review of the financial information provided by the plaintiff in support of his present application, his request is granted.

WHEREFORE, it is hereby

ORDERED, that the plaintiff's in forma pauperis application (Dkt. No. 13) is granted and he may proceed with the appeal of this matter in forma pauperis, and it is further

ORDERED, that the Clerk serve a copy of this Order on the plaintiff.

IT IS SO ORDERED.

A handwritten signature in black ink, appearing to read "David E. Peebles", is written over a horizontal line.

David E. Peebles
U.S. Magistrate Judge

Dated: July 25, 2005
Syracuse, New York

¹ At the time this action was commenced, the plaintiff submitted an application to proceed *in forma pauperis*, which was granted. Dkt. No. 6 at 10.